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THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MARCH 17, 1987
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR
CHRONOLOGY OF THE MEETING:

The San Diego Girls Chorus, directed by Eileen Marmon, sang Irish songs for the Council Members.

The meeting was called to order by Mayor O'Connor at 10:33 a.m. The meeting was recessed by Mayor O'Connor at 12:06 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:03 p.m. with no quorum present. Council Members Wolfsheimer, Cleator, McColl, Jones, Struiksma, McCarty, and Ballesteros not present. The meeting was reconvened by Mayor O'Connor at 2:04 p.m. with Council Members Cleator, Jones, Struiksma, and Ballesteros not present. The meeting was recessed by Mayor O'Connor at 2:04 p.m. to convene as the Redevelopment Agency and Housing Authority concurrently. The meeting was reconvened by Mayor O'Connor at 2:39 p.m. with Council Member Cleator and Struiksma not present. Mayor O'Connor adjourned the meeting at 3:31 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksma-excused by R-267909
(vacation)
 - (6) Council Member Gotch-present
 - (7) Council Member McCarty-present
 - (8) Council Member Ballesteros-present
- Clerk-Abdelnour (eb;bb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present

- (4) Council Member Jones-present
- (5) Council Member Struiksma-not present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-310: WELCOMED

Welcoming a group of 14 students from Jones Elementary School, accompanied by Karen Gates-Marshall, principal. This group will arrive at approximately 10:15 a.m. (District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A118-130.)

Deputy Mayor Jones welcomed the group.

ITEM-330:

An amendment to the San Diego Municipal Code by amending Chapter X (Planning and Zoning Regulations) to introduce a Planned Infill Residential Development Ordinance to be applicable within the Urbanized Communities of the City of San Diego. Associated changes in the Planned Residential Development Ordinance (Section 101.0900 of the Municipal Code) accompany the consideration of this proposed new legislation.

The Planned Infill Residential Development Permit would replace the Planned Residential Development Ordinance in the single-family zones of the urbanized communities and would require additional exhibits to be submitted with the application to support the density requested, to demonstrate compatibility with the surrounding neighborhood and to justify the need for zoning deviations from the strict application of subdivision regulations, zoning requirements or other applicable regulations.

Subitem-A: (O-87-162 REV. 2) INTRODUCED AS AMENDED, TO BE ADOPTED MARCH 30, 1987

Introduction of an Ordinance amending the San Diego Municipal Code concerning the Planned Infill Residential Development Permit.

Subitem-B: (O-87-163) INTRODUCED, TO BE ADOPTED MARCH 30, 1987

Introduction of an Ordinance amending the San Diego

Municipal Code concerning the Planned Residential Development permit.

Subitem-C: (R-87-1714) ADOPTED AS RESOLUTION R-267883

Adoption of a Resolution directing the Planning Commission to review the Planned Infill Residential Development regulations one year after adoption and recommend any amendments to Council.

FILE LOCATION:

Subitems A and B --,

Subitem-C MEET

COUNCIL ACTION: (Tape location: B026-374.)

Hearing began 11:08 a.m and halted 11:35 a.m.

A revised paragraph for Ordinance (O-87-162),

Subitem-A, was

presented and read.

Testimony in favor by Dorothy Leonard and James Milch.

Testimony in opposition by Kim Kilkenny.

MOTION BY McCARTY TO AMEND BY INTERLINEATION THE ORDINANCE FOR SUBITEM-A TO STATE THAT THE PROVISIONS OF THE ORDINANCE SHALL NOT APPLY TO APPLICATIONS FOR PLANNED RESIDENTIAL DEVELOPMENT PERMITS MADE ON OR BEFORE MARCH 17, 1987. Second by Jones.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea,

McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea,

McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-331: CONTINUED TO APRIL 28, 1987, 2:00 TIME CERTAIN AND REFERRED TO PLANNING COMMISSION

Rezoning various properties located on the north and south sides of University Avenue between State Highway 163 and Park Boulevard, in the Uptown Community Plan area, from Zones R-600 and C to Zones CC, C-1 and

Pedestrian/Commercial Overlay Zone (or any combination thereof). (Case-86-0637. District-8.)

Subitem-A: (O-87-134)

Introduction of an Ordinance for C-1 Zoning.

Subitem-B: (O-87-137)

Introduction of an Ordinance for Pedestrian/Commercial Overlay Zoning.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A136-A620.)

Hearing began 10:35 a.m. and halted 11:08 a.m.

Testimony in opposition to the continuance by Pat McLoughlin.

Testimony in opposition by Dave Snyder and William Gentry Johnson.

MOTION BY BALLESTEROS TO CONTINUE TO APRIL 28, 1987, 2:00 P.M.

TIME CERTAIN AND REFER TO PLANNING COMMISSION FOR HEARING.

Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,

Struiksmma-not present, Gotch-yea, McCarty-yea, Ballesteros-yea,

Mayor O'Connor-yea.

ITEM-332:

Matter of the appeal of Bayside Settlement House, by Lynn Sinjem, Executive Director, from the decision of the Planning Commission in denying Conditional Use Permit CUP-86-0480, proposing a non-profit social services center in an existing residence. The subject property (7,000-square-feet) is located on the east side of Central Avenue between Thorn and Redwood Streets, in Zone MR-3000, in the Mid-City Community Plan area, and is further described as Lots 23 and 24, Block 125, City Heights, Map-1007.
(CUP-86-0480. District-8.)

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Subitem-A: (R-87-1928) ADOPTED AS RESOLUTION R-267884

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0480 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-87-1929) ADOPTED AS RESOLUTION R-267885

GRANTING THE APPEAL AND THE PERMIT

Adoption of a Resolution granting or denying the appeal and the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-86-0480

COUNCIL ACTION: (Tape location: B381-C204.)

Hearing began 11:36 a.m. and halted 12:05 p.m.

Testimony in favor by Lynn Sinjem.

Cleator out 11:45 a.m.

Testimony in favor by Robert Captain and Hazel McCain.

Testimony in opposition by Edward Richeson and Maggie Ritayik.

MOTION BY BALLESTEROS TO ADOPT RESOLUTION GRANTING THE APPEAL AND THE PERMIT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-nay, Struiksma-not present, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-333: (O-87-168) INTRODUCED AND ADOPTED AS ORDINANCE
O-16830 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16678 (NS), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1986-87 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. OO-16678-1 and No. OO-16678-2, as amended and adopted therein, by creating Special Funds No. 10141 and No. 10142 entitled "State Route 252 Right-of-Way Acquisition Fund" and "State Route 252 Right-of-Way Mitigation Fund" respectively; by reducing Capital Outlay Fund by \$1,200,000 in sales tax revenues allocated to CIP-39-105; transferring and allocating said \$1,200,000 to the Acquisition Fund 10141 of CIP-39-105; and transferring \$1,000,000 from the General Fund 100, Non-Departmental Expenditures 601 and allocating said \$1,000,000 to the Mitigation Fund 10142. (Southeast San Diego Community Area, Southcrest Redevelopment Plan. District-4.)

CITY MANAGER REPORT: On February 10, 1987, the Redevelopment Agency authorized the Executive Director to execute a memorandum of understanding and to negotiate a purchase agreement with National City and the State of California for acquisition of the State Route 252 right-of-way. The San Diego City Council had earlier appropriated monies to cover part of the costs of site purchase and related traffic mitigation. The actions proposed here are housekeeping items that would establish appropriate fund and account structures to be used to administer future purchase and mitigation payments. The actual authorization of such payments will be the subject of a future City Council/Redevelopment Agency action(s) at such time as the transaction is finalized.

Aud. Cert. 8700675.

NOTE: Today's action is the second public hearing for the introduction and adoption of the Ordinance. The first public

hearing was held on Monday, March 16, 1987. See Item 200.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C225-230.)

MOTION BY GOTCH TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Jones. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-334:

Two actions relative to the Rosecrans Street (Canon Street to Nimitz Boulevard) Underground Utility District:
(Peninsula Community Area. District-2.)

Subitem-A: (R-87-1390) ADOPTED AS RESOLUTION R-267888

Establishing an Underground Utility District to be known and denominated as the Rosecrans Street (Canon Street to Nimitz Boulevard) Underground Utility District.

Subitem-B: (R-87-1391) ADOPTED AS RESOLUTION R-267889

Authorizing the expenditure of an amount not to exceed \$3,000 from CIP-37-028, Federal Revenue Sharing Fund 18016, for the purpose of administering the Rosecrans Street (Canon Street to Nimitz Boulevard) Underground Utility District, minor City Force work and other related work.

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Rosecrans Street between Canon Street and Nimitz Boulevard. This is a scheduled project in the Calendar Year 1988 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 105, of which 30 are single-family residential properties, and 75 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$600 to \$1,100. Conversion costs on commercial properties may vary from \$600 to several thousand dollars or more due to differences in service size and location. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of

overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 8700572.

FILE LOCATION: STRT K-171

COUNCIL ACTION: (Tape location: D495-505.)

Hearing began at 2:40 p.m. and halted at 2:41 p.m.

MOTION BY GOTCH TO ADOPT SUBITEMS A AND B. Second by McColl

Passed by the following vote: Wolfsheimer-yea, Cleator-yea,

McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea,

McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-335:

A proposal to amend the University Community Building Limitation Ordinance, which limits development until April 1, 1987 within the boundaries of the University Community Plan area as shown on Documents OO-16413, OO-16466, OO-16570, OO-16634 and OO-16765, on file in the office of the City Clerk.

The City Council will consider an amendment which would extend the University Community Building Limitation Ordinance from its current expiration date of April 1, 1987 until June 30, 1987 or the University Community Plan is amended, whichever first occurs.

The City Council will also consider the adoption of an emergency ordinance which would cover the lapse in time between the expiration date of the current ordinance on April 1, 1987, and the effective date of the ordinance described above.

(District-1.)

Subitem-A: (O-87-169) INTRODUCED, TO BE ADOPTED MARCH 30, 1987

Introduction of an Ordinance extending the University Community Building Limitation Ordinance until June 30, 1987.

Subitem-B: (O-87-170) INTRODUCED AND ADOPTED AS ORDINANCE O-16831 (New Series)

Introduction and adoption of an Emergency Ordinance for the period of time from April 1, 1987 until

Subitem A becomes effective.

NOTE:

Subitem B requires 6 votes.

FILE LOCATION: LAND University Community Plan

COUNCIL ACTION: (Tape location: D506-540.)

Hearing began at 2:41 p.m. and halted at 2:42 p.m.

MOTION BY WOLFSHEIMER TO INTRODUCE SUBITEM A AND INTRODUCE, DISPENSE WITH THE READING AND ADOPT SUBITEM B. Second by Gotch.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-336: CONTINUED TO APRIL 21, 1987 AT 2:00 P.M.

Approval of the proposed Mercy Mira Mesa Development Agreement between the City of San Diego and Genstar Development, Inc.

The proposed development agreement would apply to approximately 415.9 acres in the Mira Mesa and Penasquitos East communities. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Mira Mesa and Penasquitos East Community Plans; Tentative Map TM-85-0299, Planned Residential Development Permit PRD-85-0299 and Rezoning Case-85-0299; Penasquitos Park View Estates Units 5, 6 and 7 (Final Map Nos. 11657, 11658 and 11659) and Hillside Review Permit Nos. HRP-183 and HRP-184; for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The property subject to the proposed development agreement is located on the south side of Los Penasquitos Canyon generally between Black Mountain Road and I-15 in the Mira Mesa Community and between Park Village Road and the north side of Los Penasquitos Canyon westerly of Black Mountain Road in the Penasquitos East Community. A brief legal description is as follows: portions of Parcels 1, 2 and 3, Parcel Map PM-12296; Lots 1-193, Penasquitos Park View

Estates Unit 5, Map-11657; and portions of Penasquitos Park View Estates Units 6 and 7, Map Nos. 11658 and 11659. The specific legal description is on file in the City Planning Department.
(Case-87-0069. Districts-1 and 5.)

Subitem-A: (R-87-1745)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0299 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-87-166)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL Mercy Mira Mesa Development Agreement

COUNCIL ACTION: (Tape location: S541-E269.)

Hearing began at 2:42 p.m. and halted at 3:07 p.m.

Mayor O'Connor left at 2:44 p.m.

Mayor O'Connor entered at 2:58 p.m.

Testimony in favor of approval by Mim Scott.

Testimony in opposition of approval but in favor of the continuance by Leo Wilson, Kathleen Jawarski-Burke, and Lynn Benn.

MOTION BY WOLFSHEIMER TO CONTINUE TO APRIL 21, 1987 AT 2:00 P.M.

IN ORDER TO HAVE INTERESTED PARTIES FURTHER REVIEW THE AGREEMENT REGARDING NEW LANGUAGE AND HAVE PROPER RE-NOTICING OF ITEM.

Second by Ballesteros. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,

Struiksma-not present, Gotch-yea, McCarty-yea, Ballesteros-yea,

Mayor O'Connor-yea.

ITEM-337: CONTINUED TO MARCH 31, 1987 AT 10:00 .A.M.

Rezoning a portion of Lot 14, Tibbetts Tract, Land Survey Map-24 (a 9.65-acre site) located on the west side of 27th Street between Grove and Iris Avenues, in the Otay Mesa-Nestor Community Plan area, from Zone R1-10000 to Zone R-3000.

(Case-86-0749. District-8.)

Subitem-A: (R-87-1600)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-86-0749 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-87-157)

Introduction of an Ordinance for R-3000 Zoning.

FILE LOCATION: ZONE ORD NO.

COUNCIL ACTION: (Tape location: E270-527.)

Hearing began at 3:07 p.m. and halted at 3:23 p.m.

Testimony in favor of continuance by Ruth Schneider.

Testimony in opposition of continuance by Frank Asaro.

Motion by Ballesteros to have rezoning and PRD heard at the same time. No second.

MOTION BY BALLESTEROS TO CONTINUE TO MARCH 31, 1987 AT 10:00 A.M., AT HER REQUEST, TO HAVE THE PLANNING DEPARTMENT WORK WITH THE DEVELOPER TO ALLOW A PARK ON THE SITE OR TO MODIFY THE SITE TO PERMIT DEVELOPMENT OF A PARK. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-338:

Appeal of La Jollans, Inc., by David Tompkins, President, from the decision of the Planning Commission in approving Conditional Use Permit CUP-86-0001, proposing to add 30 units to the 100-room La Valencia Hotel (Historical Site designation pending). The subject property (a 1.23-acre site) is located on the north side of Prospect Street, east of Girard Avenue and south of Coast Boulevard, and is further described as Lots 12, 14, 15 and 16 and portions of Lots 10, 11 and 13, in Block 59, La Jolla Park, Map-352, and Lot A, Bailey and Hale's Subdivision, Map-1162, in La Jolla Planned District, in the La Jolla Community Plan area.

(CUP-86-0001. District-1.)

Subitem-A: (R-87-1903) ADOPTED AS RESOLUTION R-267890
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Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0001 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and

that said report has been reviewed and considered by the Council.

Subitem-B: (R-87-1904) ADOPTED AS RESOLUTION R-267891

Adoption of a Resolution granting the appeal and denying the permit or denying the appeal and granting the permit, with appropriate findings to support Council action.

Subitem-C: (R-87-1905) ADOPTED AS RESOLUTION R-267892

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-86-0001.

FILE LOCATION: PERM CUP-86-0001

COUNCIL ACTION: (Tape location: E528-679.)

MOTION BY WOLFSHEIMER TO ADOPT SUBITEMS A, B, AND C DENYING THE APPEAL AND GRANTING THE PERMIT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S500:

Two actions relative to the lease with Crystal Pier Motel, Inc.:

(See memorandum from Council Member Gotch dated 3/2/87. Pacific Beach Community Area. District-6.)

Subitem-A: (R-87-1789) ADOPTED AS RESOLUTION R-267886

Authorizing the execution of a first amendment to the lease agreement with Crystal Pier Motel, Inc.

Subitem-B: (R-87-1790) ADOPTED AS RESOLUTION R-267887

Certifying that the information contained in Environmental Negative Declaration END-87-0154, issued in connection with Crystal Pier renovation, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said declaration has been reviewed and considered by the Council.

CITY MANAGER REPORT: The proposed first amendment to the Crystal Pier Motel lease will allow the lessee to extend the wide portion of the pier by approximately 130 feet to construct six new cottages on the pier. The new cottages will all be sited on the pier in a diagonal fashion so as to allow better

view sites for the occupants, as well as open the view for the public. The existing cottages will all be moved in the same manner. This action is an urgent item, since, if approved, the lessee will be able to appear before the Coastal Commission during the week of March 24-27. If this amendment is not approved by March 17th, the Coastal Commission will remove the project from its consideration for another month. In addition, the lessee can contract for the use of the same crane and specialized equipment presently being used by the City for its share of the pier renovation. This will save the lessee the cost of bringing the crane back to the job site.

FILE LOCATION: LEAS Crystal Pier Motel, Inc. LEASFY87-1

COUNCIL ACTION: (Tape location: C-220-225.)

MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

NON-DOCKET ITEM:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent the meeting was adjourned by Mayor O'Connor at 3:31 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E680).